IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 5060 of 2005

Between:

K. Harinatha Rao, S/o. Apparao,
Vellanki Village, anandapuram Mandal,
Visakhapatnam District.

..... PETITIONER

AND

1 The Principal Secretary, Government of Andhra Pradesh,
Revenue Department Secretariat, Hyderabad.
2 The District Collector, Visakhapatnam, Visakhapatnam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus directing the respondents herein to dispose off the representations dt. 10-9-2004, 17-1-2005 by declaring the inaction as illegal, arbitrary and violative of rights guaranteed under Article 300-A of the Constitution of India.

Counsel for the Petitioner: MR.V.MALLIK

Counsel for the Respondents: GP FOR REVENUE

The Court, at the admission stage, made the following:

ORDER:

This writ petition is filed aggrieved by the alleged inaction on the part of the second respondent-District Collector in considering the representations made by the petitioner dated
10-09-2004 and 17-01-2005 complaining that the Management of Eggs-Pads Company has encroached into the land in Sy.No.168 of Vellanki Village which is classified as the Government poramboke thereby blocking the passage available to the public.

As can be seen from the material on record, the said representation was received in the office of the second respondent on 13-12-2004.

In the circumstances, without expressing any opinion as to the correctness of the allegations made by the petitioner, the writ petition is disposed of with a direction to the second respondent-District Collector to consider the said representations and pass appropriate orders, in accordance with law, after affording due opportunity to the Manager of the Eggs-Pads Company to rebut the allegations made by the petitioner. Such exercise shall be completed as expeditiously as possible, preferably within a period of six weeks from the date of receipt of a copy of this order.

The Writ Petition is accordingly disposed of. No order as to costs.

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G. ROHINI, J

Dated: 15-03-2005

LSK

To

1 The Principal Secretary, Government of Andhra Pradesh,
Revenue Department Secretariat, Hyderabad.
2 The District Collector, Visakhapatnam, Visakhapatnam District.

3 2 CCs to G.P. for Revenue, High Court Buildings,
Hyderabad (OUT)

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